

HAMILTON COUNTY BOARD OF COMMISSIONERS
MARCH 26, 2007

The Hamilton County Board of Commissioners met on Monday, March 26, 2007 in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. President Dillinger called the meeting to order at 1:00 p.m. and declared a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. The Pledge of Allegiance was recited.

Approval of Minutes

Holt motioned to approve the minutes of the March 12, 2007 Joint Meeting and the March 12, 2007 Commissioners meeting. Altman seconded. Motion carried unanimously.

Executive Session Memoranda

Altman motioned to approve the Executive Session Memoranda of March 23, 2007. Holt seconded. Motion carried unanimously.

Bid Openings

Judicial Center Computer Room HVAC Replacement

Mr. Michael Howard opened the bids for the Judicial Center Computer Room HVAC Replacement. Form 96, Bid Bond and Non-Collusion Affidavit were included in the bid unless otherwise specified. 1) Precision Control Systems base bid - \$111,250; alternate #1 - \$10,215. 2) Comfort Systems base bid - \$115,000; alternate #1 – deduct of \$2,200. Howard recommended the bids be forwarded to Buildings and Grounds for review and recommendation later today. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Bridge #86, Rulon Road over Weasel Creek

Howard opened the bids for replacement of Bridge #86, Rulon Road over Weasel Creek. Form 96, Non-Collusion Affidavit, Bid Bond, Financial Statement and Acknowledgment of One Addendum were included unless otherwise specified. 1) Calumet Asphalt - \$396,870.30. 2) Erber & Milligan - \$278,402.85. 3) Beaty Construction - \$367,620.00. 4) George R. Harvey & Son - \$416,757.50. 5) Duncan Robertson - \$332,491.00. 6) Hoosier Pride Excavating - \$378,708.14. Howard recommended the bids be forwarded to the highway department for review and recommendation at the next meeting. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Highway Business

Acceptance of Bonds/Letters of Credit – Highway Department

Mr. Joel Thurman requested acceptance of Bonds and Letters of Credit for the highway department. 1) HCHD #B-07-0006 – Western Surety Company Supply Bond No. 70260432 issued on behalf of American Timber Bridge & Culvert, Inc. in the sum of \$5,000 for Pre-engineered, treated timber bridge culvert, salt storage building packages and components for the term beginning March 8, 2007 and expiring September 8, 2007. 2) HCHD #B-07-0007 – Ohio Casualty Insurance Company Permit Bond No. 3-806-005 issued on behalf of Swinney Brothers Excavating in the sum of \$5,000 for a boring a waterline under the road at 11876 Olio Road to expire March 16, 2008. 3) HCHD #B-07-0008 – SAFECO Insurance Company Performance Bond No. 64558997 issued on behalf of Marathon Petroleum Company LLC in the sum of \$25,000 for annual highway bid of asphalt to expire February 28, 2008. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit – Highway Department

Thurman requested release of Bonds and Letters of Credit for the highway department. 1) HCHD #B-05-0008 – Travelers Casualty and Surety Company of America Permit Bond No. 103423686 issued on behalf of 96th and Olio Road, LLP. 2) HCHD #B-05-0009 – Travelers Casualty and Surety Company of America Permit Bond No. 103423685 issued on behalf of 96th and Olio Road, LLP. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Agreements/Supplements

Bridge No. 57 Engineering Agreement

Thurman requested approval of Engineering Agreement, HCHD #E-07-0001, for Bridge No. 57, 256th Street over Little Cicero Creek with Beam, Longest and Neff, LLC. Holt motioned to approve. Altman seconded. Altman asked that the paragraphs that talk about right of way be taken out. Right of Way has been redacted in other parts of the agreement. Thurman stated they are not putting right of way in at this time but they have negotiated fees. They have entered zero parcels but if they need it later it is available. Motion carried unanimously.

Concurrence with Traffic Study Correspondence

Altman motioned to approve the list of correspondence concerning investigations of requests for signage on Hamilton County Roads. Altman motioned to approve. Holt seconded. Motion carried unanimously.

146th Street Naming at I-69

Thurman asked that the naming of 146th Street at I-69 be pulled from today's agenda for discussion at the next Friday highway meeting. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Correspondence

Panhandle Eastern

Thurman stated the highway department has one issue with Panhandle Eastern, they contacted a permit inspector late last year for replacement of one of their lines. They asked questions about jurisdiction and permit requirements. Our permit inspector has responded to them and we have asked for additional detailed cross sections as they cross each road for the permit requirements and they have not provided that information to us. Thurman stated the second issue was Strawtown Avenue. They had facilities in the area and we could not negotiate with them. We had to change the scope of our project. We do have right of way through the area and are looking at possible drainage issues in that area.

FEMA

Mr. Brad Davis stated they have met with FEMA Representatives regarding the February 14, 2007 snow emergency and we are in the process of gathering the data for reimbursement. The highway department will do their own submittal and the rest of the county departments will combine for the county submittal. Holt asked why? Davis stated we have to have a \$1,000 minimum and Arvin Copeland was not sure if the other departments would total \$1,000 so he wanted to combine those departments. Altman stated she always assumed it was by county. Altman asked if we could combine the other departments with the highway department? Davis stated Arvin Copeland thinks this would be the best way to submit. Altman suggested verifying that information.

INDOT US 31 Consultant Selection

Davis stated the commissioners will be receiving a letter from INDOT inviting Hamilton County to be a participant in consultant selection process for US 31. The date is April 9, 2007. The time is 9:00 a.m. and will last most of the day. There is a short list of three (3) consultants and they have been invited to present a formal presentation. Davis will attend for the commissioners.

HAMILTON COUNTY BOARD OF COMMISSIONERS
MARCH 26, 2007

Friday Highway Meeting

Davis asked if the commissioners wanted to still have the Friday morning highway meeting (March 30, 2007). Holt is unable to attend. Davis stated the topics are a final review of the thoroughfare plan before it is sent to the plan commission and the name of 146th Street at I-69. Altman and Dillinger will meet with the highway department.

Westfield Meeting

Davis stated the highway department staff will be meeting with representatives from the Town of Westfield to review the thoroughfare plan. They also want to discuss a bridge project and the US 31 project.

Meridian Road

Davis stated they are looking at up-sizing the pipe crossing on Meridian Road. They are working with the Surveyor on the drainage. Holt asked if there is a status of what the weekend flooding did to our system? Davis stated there was flooding on Meridian Road and a void under the pavement on Duck Creek Avenue, which is being repaired right now. Altman stated they did receive an e-mail that he thinks the flooding was due to back-up of our drainage system and he suggested a periodic inspection of culverts that are under roads to make sure they are clear. She will forward the e-mail to Davis.

Commissioner Committee Reports

Transit Issues

Altman stated she attended a hearing on transit issues hosted by Terri Austin. An expert from Washington DC went through the transit funds that are available.

Pandemic Flu Mass Prophylactic Exercise

Altman stated she participated in a Pandemic Flu Mass Prophylactic Exercise at Hamilton Southeastern High School. It was very well done.

Sandbags

Altman asked if sandbagging would be an opportunity for community service work for the township trustees work fairs and probation department's community service requirements. Holt stated it would but it so last minute. Altman stated they could build up the stockpile.

Attorney [1:28:51]

Estridge Drainage Issues

Howard stated the Estridge Drainage and Easement Issues have been tabled.

Ordinance 03-26-07-A, Administrative Fee In Relation to Foreclosure Sales by Sheriff

Howard stated State statute authorizes a \$200 fee on each mortgage foreclosure conducted by the Sheriff. The fee must be cost justified. Howard introduced Ordinance 03-26-07-A, An Ordinance of the Board of Commissioners of Hamilton County, Indiana, Adopting an Administrative Fee in Relation to Foreclosure Sales Conducted by the Hamilton County Sheriff. Sheriff Carter stated this was allowed in the Indiana General Assembly of 2005 with effective date of 2006. The numbers of foreclosures continue to escalate each year. This fund can be used for several things, one of things he hopes to accomplish is to have a full time purchasing agent for the Sheriff's department. We currently have 350 Sheriff's Sales in 2007. Howard stated by statute the monies must go into a special fund and the ordinance provides for appropriation of the funds by the county council. Mr. Darren Murphy stated the fee is paid by the person who has the judgment of foreclosure by the court and it is paid at the time the judgment is taken to the Clerk. Altman stated it would be beneficial to be able to post online the foreclosures and status. Carter stated that has been discussed but it is very complicated, it is not a stagnant environment, there are many people involved and it would take a separate person to keep it current. Holt stated if we were getting an override it would make sense but under the circumstances. Altman stated she views it as public service and try to maximize the sales. Carter stated they will continue to have that discussion. Holt asked what is the percent that the bank does not buy? Carter stated 90+% goes back to the mortgage lender. Altman stated it is just like Tax Sale the more we publish it the more we get active investors. Altman motioned to introduce Ordinance 03-26-07-A. Holt seconded. Motion carried unanimously. Altman motioned to suspend the rules and adopt Ordinance 03-26-07-A. Holt seconded. Motion carried unanimously.

Animal Control Interlocal Agreements [1:34:45]

Howard requested approval of the Interlocal Agreements between Hamilton County and Carmel, Fishers, Westfield and Noblesville for reimbursement of animal control. The per animal cost is \$133.84 and the term stray animal has been changed to unwanted animal. Altman asked what dates are these contracts effective for? Howard stated they will be retroactive to January 1, 2007 and will supersede the existing agreement. Altman asked if a cover letter will be sent? Howard stated yes. Altman motioned to accept those contracts. Holt seconded. Motion carried unanimously.

Liability Trust Claims

Howard requested approval of Liability Trust Claims. 1) FTI Consulting - \$10,722.32. 2) Michael A. Howard - \$5,096.00. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Sheriff [1:37:29]

Excess Property

Ryan Horine stated last year the Sheriff's department received approval to replace all the video cameras in the patrol cars. There are some public safety agencies interested in purchasing these items. Howard stated excess property can be sold to another unit of government under such terms as negotiated so it does not need to go to the public auction process. Howard suggested receiving quotes from the interested agencies and present those to the commissioners along with a recommendation for approval.

Window Washing Contract Renewals – Buildings and Grounds

Mr. Scott Warner requested approval of the window washing maintenance contract with American National Skyline Industries for a total cost of \$14,920. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Bid Award – Computer Room HVAC

Warner recommended the bid for the replacement of the Judicial Center Computer Room HVAC be awarded to Accu-Temp Comfort Systems USA. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Auditor [1:41:34]

New World Change Orders

Altman stated she signed change orders for the New World agreement that is covered by the UASI Grant. Holt motioned to approve the execution of the New World change orders. Dillinger seconded. Motion carried unanimously.

Clerk's Monthly Report

Mills requested approval of the February 2007 Monthly Report from the Clerk of the Circuit Court. Holt motioned to approve. Altman seconded. Motion carried unanimously.

HAMILTON COUNTY BOARD OF COMMISSIONERS
MARCH 26, 2007

Treasurer's Monthly Report

Mills requested approval of the February 2007 Monthly Report from the Hamilton County Treasurer. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit – Drainage Board

Mills requested acceptance of Bonds and Letters of Credit for the drainage board. 1) HCDB-2006-00040 – Travelers Casualty and Surety Company of America, Subdivision Bond No. 104741906 for Deerpath Section 12 & 16 Flood-Way Mitigation/Storm Sewer in the amount of \$8,990. 2) HCDB-2007-00001 – Developers Surety and Indemnity Company Subdivision Improvements Performance Bond No. 719190S for the reconstruction of the Booth-Snead Drain across the Gray Eagle Golf Course by R.N. Thompson Development, Inc. in the amount of \$49,608.00. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit – Drainage Board

Mills requested the release of Bonds and Letters of Credit for the drainage board. 1) HCDB-B99022 – Developers Surety and Indemnity Company Subdivision Performance Bond #885153S – High Grove Section 1 – Monuments and Markers - \$2,400.00. 2) HCDB-B01030 – Developers Surety and Indemnity Company Subdivision Performance Bond #886710S – High Grove Section 2 Monuments and Markers - \$1,625.00. 3) HCDB-B01032 – Developers Surety and Indemnity Company Subdivision Bond #886727S – Centennial Section 6 Storm Sewers and Subsurface Drains - \$155,735.00. 4) HCDB-2002-00321 – Bond Safeguard Insurance Company Bond No. B21856969 – Claybourne Section 1 Monuments & Markers - \$6,840.00. 5) HCDB-2002-00352 – Bond Safeguard Insurance Company Bond No. 5001606 – Taylor Trace Monuments and Markers - \$1,000.00. 6) HCDB-2003-00053 – Developers Surety and Indemnity Company Subdivision Bond #888624S – Centennial Section 9 Monuments & Markers - \$3,940.00. 7) HCDB-2003-00056 – Bond Safeguard Insurance Company Bond No. 1000654 – Claybourne Section 2 Monuments & Markers - \$4,920.00. 8) HCDB-2004-00025 – Fidelity and Deposit Company of Maryland Bond No. PRF8136481 – Amli @ Prairie Lakes – Oliver Shoemaker Reconstruction - \$198,033.00. 9) HCDB-2004-00087 – Bond Safeguard Insurance Company Bond No. 5012807 – Claybourne Section 3 Monuments & Markers - \$3,570.00. 10) HCDB-2005-00073 – Developers Surety and Indemnity Company Performance Bond #716734P – Washington Township Drain – Arm 1 Reconstruction - \$108,290.40. 11) HCDB-2005-00076 – Bond Safeguard Insurance Company Subdivision Bond #5017921 – Heather Knoll Section 2 Monuments & Markers - \$9,492.00. 12) HCDB-2005-00121 – Bond Safeguard Insurance Company Subdivision Bond #5020172 – The Lakes at Towne Road Section 2 Monuments & Markers - \$10,000.00. 13) HCDB-2006-00049 – Ohio Farmers Insurance Performance Bond #5845266- Russell Johnson Drain – Hoosier Road Reconstruction - \$119,085.00. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Payroll Claims

Mills requested approval of Payroll Claims for the period of February 26 thru March 11, 2007 paid March 23, 2007. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Vendor Claims

Mills requested approval of Vendor Claims for payment March 24, 2007. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Administrative Assistant

Precinct Approval for Primary Election

Mr. Fred Swift requested approval of the Primary Election precinct locations. Holt motioned to approve. seconded. Motion carried unanimously.

Request Use of Commissioners Courtroom

Swift requested approval of the use of the Commissioners courtroom for absentee voting on Saturday April 21 and 28 from 9:00 – 4:00 and inspector training on May 1, 2 and 3 in the historic courtroom. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Joint Taskforce with City of Noblesville

Swift stated during the retreat the Council and Commissioners approved sending a resolution to the City of Noblesville to form a joint taskforce for the purpose of developing plans for alternative transportation, traffic movement and parking in the downtown area. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Release of Retainage Escrow – Animal Shelter

Swift requested approval and signature of the President on letters requesting the release of retainage funds for Fredericks, Inc., Blakley Corporation, Batts Construction, Applied Coatings, Inc. and Gibraltar Construction for work done on the animal shelter. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Wage Determination Committee Appointment

Swift stated Delaware Township is recommending Mike Colby be appointed to a Wage Determination Committee. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

Noblesville Main Street Farmer's Market

Swift stated Noblesville Main Street is requesting permission to hold a Farmer's Market on Thursday afternoons in downtown Noblesville on the east side of the square on 9th Street between Conner and Logan. They are interested in using the sidewalk and possibly the retaining wall. The market would be held from 4:30 p.m. until dark, through June, July, August and some of September. Swift stated they have assured him they will not be on the courthouse lawn. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Conference Room Furniture

Swift stated he has received chair samples from PEN Products for the conference room and requested the commissioners look at them.

HAND Agreement

Mr. Mark McConaghy stated HAND (Hamilton County Area Neighborhood Development, Inc.) is requesting funding from the CDBG Grant to facilitate their application to the State of Indiana to apply for \$150,000 in HOME Investment Partnership funds. Mr. Mark Winzenread, HAND Chairman/President, stated in order to address the housing needs in Hamilton County and requested the county award CDBG funds so HAND can buy down these mortgages on three new properties that will be built in Hamilton County. These homes would allow people making 60% or below the median income of Hamilton County into new homes. We will work with them on home ownership, maintenance and financing. They are requesting \$50,000. Howard asked if these are totally new properties or substantially new properties. Winzenread stated they would be totally new properties. We have looked into rehabbing properties but the costs exceed our costs of building brand new. Howard stated there is a huge inventory of homes under five years of age that go up for Sheriff's sale weekly. Winzenread stated part of the program is taking qualified

HAMILTON COUNTY BOARD OF COMMISSIONERS
MARCH 26, 2007

buyers through a training program to avoid that type of situation. Altman stated we may have an inventory of available housing that needs to be filled at less than what it would cost to construct new. Howard stated in the Noblesville area there is a plethora of homes being foreclosed on weekly. Winzenread stated it is not just the training it is also buying down the mortgage so they can afford them. Altman stated we understand the concept. Howard stated the next issue is why are we putting more affordable houses into inventory when the affordable housing market is in a substantial slump because of foreclosures. Why don't we help by buying some of the inventory and keep the downward spiral from going into place. McConaghy stated they could do that with the existing CDBG funds, as far as providing down payment assistance and home buying counseling. HAND has been certified by the State as a Certified Housing Development Agency. In order to be one of those you have to within two years of the certification you have to use their funds to do a project. Once you have done the first project with them you can move forward to other projects. What you are suggesting would be something the Noblesville Housing Authority and HAND would love to use CDBG funds with. The homebuyer counseling would go hand in hand with that. In the future we could use CDBG funds for down payment assistance. In this case we are supportive of this project in order to get a certified housing development agency in Hamilton County. We don't have a not for profit agency in Hamilton County right now. There are a lot of tax credits and deals that we could work with by having this housing agency in place. Right now the county is doing rehabs of ten homes. There is some money in the housing program to build the new houses. McConaghy stated he understands what the commissioners are saying regarding foreclosures but part of this is helping this organization move forward. There would be three newly constructed houses and we would be supporting these families. Altman asked why do you have to have brand new construction? McConaghy stated it is the State regulation. There are not a lot of options on what the first required project is in order for HAND to move forward. Holt asked what would be the fair market value of these homes? McConaghy stated \$130,000. Holt stated \$50,000 that you are proposing we award to HAND is not new money. McConaghy stated it is CDBG funds and we just received our award for the October fiscal year. Holt stated you are asking us to award this to HAND without you rating all of the other applicants? McConaghy stated yes, right now we are doing rehab at about \$25,000 to \$30,000 per house. We thought they would be getting a new house with no maintenance issues. These units would be in the northern part of Noblesville. Altman stated to her it is an ill conceived project that you have to have brand new construction when we have lots of almost new construction sitting on the market. Winzenread asked how would they access that inventory of houses? Altman stated there is an inventory that the Sheriff maintains with the foreclosure sales that would be a perfect market that would be below fair market value. Winzenread stated at this point we would be at risk of failing to meet federal and state guidelines to maintain our certification, which is why we moved into this direction. We did look at some of those properties and they were either not under the five years or required lead abatement, asbestos abatement, etc. Altman stated we are talking about properties that are less than two to three years old. Dillinger stated isn't their point that under their program those homes do not qualify? Altman stated she does not support that kind of restrictive program. Winzenread stated they are not in disagreement but they have to make it through this first hurdle in order to be around to try and address that particular market. McConaghy stated considering the expenditure per unit it is not a bad use of CDBG funds. Dillinger motioned to approve. No second. Motion fails for lack of a second. Altman asked McConaghy to give the commissioners a list of how we are spending the \$100,000. Altman motioned to complete the grant application for Janus on Demand Program. Holt seconded. Motion carried unanimously.

Fair Housing Month Proclamation

Holt motioned to approve a Proclamation declaring April as Fair Housing Month in Hamilton County. Altman seconded. Motion carried unanimously.

Noblesville Township Assistance Appeal [2:06:27]

Mr. Michael Julbe, 1562 S. 8th Street, Noblesville, stated he is appealing the decision made by the Noblesville Township Trustee by refusing to assist him with his rent. The reason for the refusal was for mis-appropriation of funds. Julbe stated he does not feel she (township trustee) took into consideration the funds that were accounted for were not completely his. He and his wife have been separated for over two and half years. Although separated they are legally married and have filed their taxes jointly. We did agree prior to filing that the tax check was to be divided in her favor since she receives the majority of the funds for her two children in form of child tax credits. The funds allotted to him were \$1,100. When he submitted the information in regards to the amount of money he received in the tax check they wanted to know where the money went. Julbe explained that he paid his last month's rent and some utilities and the remainder he could not account for. He asked his wife and she spent it on a van. They are living in separate households and maintains her own residence. He has no control of how she spent her portion of the check. Dillinger asked what Julbe does for a living? Julbe stated he was working in a janitorial business but he was laid off due to lack of work. He is currently looking for other employment but due to his status of being an ex-felon he is having difficulty achieving that goal. Altman stated the income shown on your (tax) return, was that your spouses? Julbe stated it was both of their income, however she received the child tax credit for the children which is why she got the majority of the check. Julbe stated she was making more money than he was.

Ms. Vicki Thompson, Noblesville Township Trustee's office, stated that on the application he stated what he did with the tax money and that was the basis of the denial, because of the income received and they could not account for most of what they did with that money. It was broken down for the vehicle, rent, clothes, etc. He could not account for most of it. It was not until after he was denied that he told us that he only received \$1,100 of that tax refund. According to us he did receive the majority of the money. That money could have been used for his rent, which he did state he paid for one month's rent, we did not understand why he did not pay more than one month's rent. Dillinger asked if having this knowledge change your position? Thompson stated at this point no, for the month of March. Thompson stated the income guideline for one household is \$1,817 per month. The tax refund was \$5,927. The application is based on the tax refund and his statement on the application. Altman asked if you are saying you don't believe what he told you then or told us now? Thompson stated there have been many stories. Altman asked Thompson to clarify her position in respect to what he just testified to? Thompson stated the denial was based for the month of March, he has a right to appeal or apply for next month. For the month of March he has additional income based on his application. Dillinger stated that appears to be true. Juble stated he does not see how he has mis-appropriated the funds. He received \$1,100 out of the check and he did pay one month's rent plus late fees out of the check. When he applied he had not paid the rent. He received the check on February 19th and he applied at the Trustee's office on the 17th. When he received the check he paid the rent for fear that he may have been evicted. Dillinger asked if that was March's rent? Julbe stated for February. He was late for February and they charge \$5.00 per day. He paid for that month plus the late fee and he informed the Trustee's office and they said he was no longer eligible for that month since he received the money and he was already paid. They told me to apply again after the first, which he did. They asked if he had filed for taxes yet. I explained that I did and that is when I gave them the whole tax check. It was not split up when they filed, it was all one check. When I explained that we received the check they wanted to know where all the money went

HAMILTON COUNTY BOARD OF COMMISSIONERS
MARCH 26, 2007

to. The van is not his, that is his wife's van. Altman stated we understand the explanation, the problem is that you were able to retain \$1,100 which exceeds the \$800 guideline. You had that for that particular month. The Trustee is telling you for that month that you did not qualify but she has left the door open for you to qualify for April. Altman asked if he understands that assistance is a temporary situation so at best you would get one month's rent and hopefully that is enough to get you back on your feet. Altman stated they have left the door open for April, depending on your resources. If you had \$1,100 you did not qualify because of the countywide guidelines. Altman motioned to deny the appeal. Holt seconded. Motion carried unanimously.

ISSD Purchase Orders

Ms. BJ Casali requested approval of two (2) purchase orders to finish up the CISCO equipment for the Judicial Center cable re-wiring: a) 4 CISCO switches with maintenance 1st floor - \$36,456.00. b) 4 CISCO switches with maintenance lower level - \$36,456.00. Funding is available in the ISSD budget. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Insurance Rates [2:16:59]

Mr. John Elmer presented the projected costs and claim projections for April 1, 2007 to March 31, 2008.

Short Term Disability

Elmer presented the Short Term Disability Analysis for the plan year beginning April 1, 2007. Elmer stated based on 26 pays the total deduction per employee per pay period would be \$6.72. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Mammogram Insurance Coverage

Ms. Sheena Randall stated the topic of insurance coverage for mammograms was tabled. The insurance committee visited Meritain and met with their new CEO to discuss issues that we have had with the plan, communication and the issue with mammograms coding diagnostic verses wellness. Meritain said it is not specific to any one vendor, most vendors believe that very few plans pay for mammograms under wellness so they automatically send them in as a diagnostic coding so they can have coverage. It is not a problem in Meritain's system to allow one mammogram per year, per individual paid at 100% and then anything beyond would be coded as the medical provider would forward to their office. Altman asked when do we renew the Meritain contract? Randall stated April 1st, the commissioners have already approved it. Altman stated she has some concerns with some of the stories she has been hearing. Dillinger stated he was very impressed with our discussions with Meritain and as far as he knows they are doing a very good job. Altman stated that is not what she is hearing on some medical claims. Dillinger stated they need to bring those to us because we are not aware of that. We did have a discussion with them as to what we expected and they were very responsive. Randall stated some of the problems we have had is the re-pricing of the preferred providers. Prior to last August we had Encore and whenever a medical vendor would send a claim to Meritain they would have the re-pricing for Encore in house. Now that we have changed to Sagamore they have to send the claims to Sagamore, they re-price the claim and then the re-pricing is forwarded to Meritain. Some things Meritain will be doing during the next few weeks is to contact the top 50 providers to make sure they are aware that they are to send them to Sagamore not directly to Meritain. They are also going to look at any pending claims that are waiting for re-pricing and contact those vendors. We are looking at changing our insurance card so that it clearly defines where the claims are to be sent. Those are the issues we are having right now. Altman stated we have providers making employees pay because they are waiting so long for insurance payments. Dillinger stated those issues have been addressed. Holt stated there is nothing on the card that says claim services are provided by Sagamore. Randall stated most vendors know if you have a PPO what they are supposed to do. Dillinger stated the problem was it was being sent to the wrong provider. Holt asked if Randall is recommending that we change the policy that the first mammogram of the calendar year is wellness? Dillinger stated the insurance committee recommended against that for this year. Holt stated after you met with the CEO of Meritain, what is your position for us paying for the first mammogram of the year as a wellness benefit? Randall stated Meritain will have a sticker that says the one mammogram is covered, that we can put in the employee benefit book instead of a piece of paper that will fall out. Dillinger stated the insurance committee is not opposed to this coverage but we just got this book straight and we have to keep making changes in the middle of it. The insurance committee recommends waiting to make this change next year. Holt stated he understood that the CEO of Meritain said they could code the computer as the first mammogram as wellness, regardless of what the provider says. Randall confirmed that they can do this. Holt stated isn't the question if we want the first mammogram of the year to be covered by wellness? Altman so moved. Holt seconded. Holt asked if this is going to do something traumatic to our rates? Elmer stated no, in fact it could be favorable. Motion carried unanimously. Randall stated she will bring an amendment back to the next meeting for signature. Holt stated we don't have to worry about the employee handbook because Meritain will know to do this? Randall stated right, but we will send stickers out so everyone is aware of it.

Unsafe House on Devaney and 256th Street

Mr. Chuck Kiphart stated he visited the house on Devaney and 256th Street today at 12:30 p.m. There is still water in the basement, it has not been pumped. They have put a large blue tarp over the roof, nothing over the walls. The only thing that they put up to keep people out of the building is chicken wire. Nothing has been removed from the yard. There is a sign in the yard that the home will be put up for auction the third week of April to be closed within 30 days. When Kiphart spoke with the firm this morning they said arrangements had been made to pump the water out, but it was still there exactly as it was two weeks ago. Altman stated maybe the appropriate thing to do at their cost is to board it up and make it where people can not get into it. Altman asked if it is susceptible to boarding it up where we can keep people out of it? Kiphart stated yes. Holt asked how would you board up the garage door? Kiphart stated you would have to build a frame and put 4 x 8 sheets of plywood up. It will not be inexpensive. Holt stated it has been like that for two years. Kiphart requested giving them another week and he will make some phone calls. He has tried to contact MT Mortgage but he will be out of the office until Wednesday. Altman stated she thought we were pretty clear last meeting. Howard asked if the commissioners want to instruct Kiphart that if the work is not done by next week Kiphart is to find a contractor and go? Altman so moved. Dillinger seconded. Altman and Dillinger approved. Holt abstained. Motion carried.

Fairgrounds Financial Study and County Office Space Study

Dillinger stated he has spoken with Larry Dawson, Envoy, regarding the financial study for the fairgrounds, county office space, the practicality of salvagability of the First Indiana Bank Building and county employee parking. Holt clarified it is short-term salvagability of the bank building. Holt told Dawson that someone did a space needs assessment when we were planning the judicial center, they interviewed every office holder and department head, are you envisioning that process will take place? Dillinger stated it would make sense to get that review and update it. Dawson stated they had outlined in 2006 in thinking about this type of need for the long-term future was looking at 10 year increments. They way we have gone in the past it will be pretty hard to be 100% accurate 15 to 20 years out the way that county is growing. We can make an attempt at that. We will address the employee needs for the courts,

HAMILTON COUNTY BOARD OF COMMISSIONERS
MARCH 26, 2007

prosecutor, probation, auditor, assessor, treasurer, maintenance, health, planning and human resources to try and figure out if we are going to have a population of “X”. We believe we have left the space but how would we build that and how would we accommodate the ground west of the judicial center. He knows there are people who have alternate uses for parts of that ground that could be integrated into the future expandability of this building as well as the riverfront ideas. Those projects need to be coordinated together. The direction he has had on the judicial center since 1988 is that the courts will stay right here in one location. That has never wavered. We need to address the old courthouse and what is reasonable to do with that population and where it is likely to go. We need to not only locate those people but if if we have a location plan how do we park people reasonably close to where they are going to be located. There is surface parking, there is high rise multi-story parking and our rail system going through town needs to be investigated. Dawson stated he has also heard that the visitors bureau is looking at how they can move people around the county to let people participate in the parks functions. Dawson stated he would like to have for the downtown project and fairgrounds project, a committee that the commissioners would assign because we will need input from several people before we can come to a consensus for everybody. On the fairgrounds project we need to start with the dollar analysis of what can we get before we spend a lot of money on a big plan. Dillinger asked Dawson to bring the commissioners a plan of attach on this with a price. Altman asked when they are looking at needs of these two facilities to be very cognizant of how you would pair up departments and elected offices in terms of one stop shopping for our customers as well as other facilities such as the highway department in terms of grouping services that are interdependent. Dillinger stated Commissioner Holt brought in a newspaper article showing IMA is building parking underneath with parks on top and asked Dawson to keep that in mind during this exercise. Dawson would like to have consultation with the commissioners on what positions/departments they would like included on the committees.

Holt motioned to adjourn. Altman seconded. Motion carried unanimously.

Commissioners Correspondence

- Highway Department General Program Status Report
- HUD Notice of FY 2007 Allocations for Community Development Block Grant
- DNR Findings of “No Historic Properties Affected”
 - Sidewalk Replacement – Carmel
 - Sidewalk Replacement – Cicero
- Beam, Longest and Neff Notice of Transmittal
 - Bridge No. 57, 256th Street over Little Cicero Creek
- IDEM Notice of Sewer Permit Applications
 - Barrington Force Main – Fishers
 - Lakeside Park Subdivision, Section 6 & 7 – Carmel
 - Winding Creek Lift Station Parallel Force Main – Fishers
- IDEM Notice of Construction Permit Applications
 - Barrington Force Main - Fishers
 - Belmont Place at Brooks Park, Section 4 – Fishers
 - Britton Falls Subdivision Area 2, Section B, Phase 3 – Fishers
 - Britton Falls Subdivision Area 2, Section B, Phase 4 - Fishers
 - Britton Falls Subdivision Area 2, Section C, Phase 3 – Fishers
 - Mill Grove, Section Nine, Noblesville
 - Wastewater Treatment Plant Improvement – Carmel
- Bricklayer’s Union Letter re: Community Corrections Facility
- INDOT Resolution Establishing Traffic Controls on SR 13 in Fishersburg

Present

- Christine Altman, Commissioner
- Steven C. Dillinger, Commissioner
- Steven A. Holt, Commissioner
- Robin M. Mills, Auditor
- Kim Rauch, Administrative Assistant to Auditor
- Fred Swift, Administrative Assistant to Commissioners
- Michael A. Howard, Attorney
- Darren Murphy, Attorney
- Doug Carter, Sheriff
- Brad Davis, Highway Director
- Joel Thurman, Interim Highway Engineer
- Amber Emery, Highway Public Service Representative
- Christopher Burt, Highway Staff Engineer
- Tim Knapp, Highway Right-of-Way Specialist
- Matt Knight, Highway Staff Engineer
- Faraz Kahn, Highway Department
- Kathy Howard, Highway Department
- Bob Davis, Highway Superintendent
- Scott Warner, Buildings and Grounds
- Ryan Heath, Indianapolis Star
- Patti Smith, BLN
- John Elmer, One Source Insurance
- Bob Gray, JSUE
- Jonathan Babalola, Noblesville Daily Times
- Larry Dawson, Envoy, Inc.

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST

Robin M. Mills, Auditor